

CHAPTER 6000 CASE REVIEW

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6100 PERIODIC REVIEWS

- A. Except for children whose cases are reviewed by a citizen review board under chapter 13.70 RCW, the status of any child in out-of-home care must be reviewed by a court review every six months from the beginning date of the placement episode or the date dependency is established, whichever is first.
 1. The initial review hearing shall be an in-court review and shall be set six months from the beginning date of the placement episode or no more than ninety days from the entry of the disposition order, whichever comes first. The initial review hearing may be a permanency planning hearing when necessary to meet the time frames set forth in RCW 13.34.145 (3) or 13.34.134.

[RCW 13.34.138](#)
 2. The review shall include findings regarding the agency and parental completion of disposition plan requirements, and, if necessary, revised permanency time limits.
 3. The review shall consider both the agency's and parent's efforts that demonstrate consistent measurable progress over time in meeting the disposition plan requirements. The requirements shall be accomplished within existing resources.

[RCW 13.34.138](#)
 4. The supervising agency shall provide a foster parent, pre-adoptive parent, or relative with notice of, and their right to an opportunity to be heard in, a review hearing pertaining to the child, but only if that person is currently providing care to that child at the time of the hearing. This provision does not grant party status to any person who has been provided an opportunity to be heard.

[RCW 13.34.138](#)
- B. An administrative review for children in placement by consent of the parent(s), conducted every six months, meets federal requirements for periodic review.

42 USC 675, Sec. 475
- C. CA shall make reasonable efforts to enable parents and children over 12 to attend (and to receive notice of) periodic case reviews for children in out-of-home care.

[RCW 13.34.060](#); [RCW 13.34.070](#); **RCW 26.44.105**
- D. Periodic case review panels (administrative or citizen) must include one person not directly responsible for service delivery to the child or the family.

42 USC 675, Sec. 475

- E. Periodic case reviews for children in out-of-home care cover the following content:
1. The entire case plan, Individual Service and Safety Plan (ISSP), of the child.
 2. The safety of the child.
 3. The appropriateness of the type of placement.
 4. The permanent plan for the child.
 5. The legal status of the child.
 6. Review of the appropriateness of services provided.
 7. Review of the visitation plan.
 8. Compliance with the case plan by the parent, child, and supervising agency, including whether progress has been made toward permanency.
 9. The projected date for returning and safely maintaining the child at home or for completion of another safe permanent plan.
 10. Whether parents have been notified or involved in agency decision making as it relates to changes in visitation, placement and the legal status of the child.
 11. Whether additional services, including housing assistance, are needed to facilitate the return of the child to the child's parents; if so, the court shall order that reasonable services be offered specifying such services.

**RCW 13.70.100; RCW 13.70.110; RCW 13.70.130
42 USC 675, Sec. 475**

- F. The court's ability to order housing assistance under RCW 13.34.130 and this section is:
1. Limited to cases in which homelessness or the lack of adequate and safe housing is the primary reason for an out-of-home placement; and
 2. Subject to the availability of funds appropriated for this specific purpose.

[RCW 13.34.138](#)

6110 Citizen Review Boards

In counties designated to operate Citizen Review Boards, the following steps will be taken.

RCW 13.70.003

- A. For cases where a child has been placed in substitute care pursuant to written parental consent and a dependency petition has not been filed under chapter 13.34 RCW:
1. Within 30 days following commencement of the placement episode, the department shall send a copy of the written parental consent to the juvenile court with jurisdiction.
 2. Within 45 days following commencement of the placement episode, the court shall assign the child's case to a board for review.
 3. The board shall review the case plan for each child in substitute care whose case is assigned to the board by the court. Within 90 days following commencement of the placement episode, the first review shall occur. The second review shall occur within six months following commencement of the placement episode. The final board review shall occur no later than six months following the second review unless the child is no longer in substitute care or unless a guardianship order or adoption decree is entered.

RCW 13.70.100

- B. For cases where a child has been placed in substitute care pursuant to a proceeding under chapter 13.34 RCW, *Dependency*:
1. Within 45 days following commencement of the placement episode, the court shall assign the child's case to a board and forward to the board a copy of the dependency petition and any shelter care or dependency disposition orders, which have been entered by the court.
 2. The board shall conduct the first review within 90 days following commencement of the placement episode.
 3. The second review shall occur within six months following commencement of the placement episode.
 4. The next review shall occur within one year after commencement of the placement episode.
 5. Within 12 months following commencement of the placement episode, a permanency planning hearing shall be held before the court in accordance with RCW 13.34.145. Thereafter, the court shall assign the child's case for a board review or a court review hearing pursuant to RCW 13.34. A board review or a court review hearing shall take place at least once every six months until the child is no longer within the jurisdiction of the court or no longer in substitute care or until a guardianship order or adoption decree is entered.
 6. After the permanency planning hearing, a court review hearing must occur at least once a year as provided in RCW 13.34.138.

7. The board shall review any case where a petition to terminate parental rights has been denied, and such review shall occur no later than 45 days after the denial.

RCW 13.70.110

- C. If the department is unable or unwilling to implement review board recommendations, the department shall submit to the board, within 10 working days after receipt of the findings and recommendations, an implementation report setting forth the reasons why the department is unable or unwilling to implement the board's recommendations. The report will also set forth the case plan which the department intends to implement.

RCW 13.70.110

6120 Permanency Plan Review

For developmentally disabled children in out-of-home care pursuant to RCW 74.13.270, permanency planning hearings shall be held. At the hearing, the court shall review whether the child's best interests are served by continued out-of-home placement and determine the future legal status of the child.

RCW 13.34.270

The following requirements apply for all children in out-of-home care:

- A. A permanency planning hearing shall be held in all cases where the child has remained in out-of-home care for at least nine months and an adoption decree, guardianship order, or permanent custody order has not previously been entered. The hearing shall take place no later than 12 months following commencement of the current placement episode.
RCW 13.34.145
- B. Whenever a child is removed from the home of a dependency guardian or long-term relative or foster care provider, and the child is not returned to the home of the parent, guardian, or legal custodian but is placed in out-of-home care, a permanency planning hearing shall take place no later than 12 months, as provided in RCW 13.34.145, following the date of removal unless, prior to the hearing, the child returns to the home of the dependency guardian or long-term care provider, the child is placed in the home of the parent, guardian, or legal custodian, an adoption decree, guardianship order, or a permanent custody order is entered, or the dependency is dismissed.
RCW 13.34.145
- C. No later than 10 working days prior to the permanency planning hearing, the agency having custody of the child shall submit a written permanency plan to the court and shall mail a copy of the plan to all parties and their legal counsel, if any.
RCW 13.34.145

1. The plan shall be directed toward seeking a safe, stable, and permanent home for the child as soon as possible.

2. The plan for the developmentally disabled child shall identify one of the following outcomes as the primary goal and may also identify additional outcomes as alternative goals:
 - a. Return of the child to the home of the child's parent or legal guardian;
 - b. Adoption;
 - c. Guardianship; or
 - d. Long-term out-of-home care, until the child is age 18, with a written agreement between the parties and the child's care provider.
3. For the developmentally disabled child, if a goal of long-term out-of-home care has been achieved before the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remains appropriate. In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal.

[RCW 13.34.270](#)

- D. At the permanency planning hearing, the court shall enter findings as required by RCW 13.34.138 and shall review the permanency plan prepared by the agency.
 1. If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280 and 13.34.138.
 2. If a goal of long-term foster or relative care has been achieved prior to the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remain appropriate.
 3. In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal.
 4. In all cases, the court shall:
 - a. Order the permanency plan prepared by the agency to be implemented; or

- b. Modify the permanency plan, and order implementation of the modified plan; and
- c. Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or
- d. Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

[RCW 13.34.145](#)

- E. If the court orders the child returned home, casework supervision shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

[RCW 13.34.145](#)

- F. The juvenile court may hear a petition for permanent legal custody when:
(1) The court has ordered implementation of a permanency plan that includes permanent legal custody; and (2) the party pursuing the permanent legal custody is the party identified in the permanency plan as the prospective legal custodian.

- 1. During the pendency of such proceeding, the court shall conduct review hearings and further permanency planning hearings as provided in chapter 13.34 RCW.
- 2. At the conclusion of the legal guardianship or permanent legal custody proceeding, a juvenile court hearing shall be held for the purpose of determining whether dependency should be dismissed. If a guardianship or permanent custody order has been entered, the dependency shall be dismissed.

[RCW 13.34.145](#)

- 3. Continued juvenile court jurisdiction under chapter 13.34 RCW shall not be a barrier to the entry of an order establishing a legal guardianship or permanent legal custody when the requirements of paragraph D above, are met.

- G. Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with RCW 13.34.145 at least once every 12 months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

[RCW 13.34.145](#)

- H. Except as provided in RCW 13.34.235, the status of all dependent children shall continue to be reviewed by the court at least once every six months, in accordance with RCW 13.34., until the dependency is dismissed. Prior to the second permanency planning hearing, the agency that has custody of

the child shall consider whether to file a petition for termination of parental rights.

[RCW 13.34.145](#)

- I. If reasonable efforts are not ordered under RCW 13.34.132, a permanency hearing shall be held within 30 days of the court order to file a petition to terminate parental rights. Reasonable efforts shall be made to place the child in a timely manner in accordance with the permanency plan, and to complete whatever steps are necessary to finalize the permanent placement of the child.

[RCW 13.34.134](#)

- J. If any party to the voluntary placement agreement for the developmentally disabled child terminates the agreement, the department shall notify the court upon termination of the agreement and return of the child to the care of the child's parent or legal guardian. Whenever a voluntary placement agreement is terminated, permanency planning action shall be dismissed. A permanency planning action filed under this section shall also be dismissed upon the filing of a dependency petition regarding a child who is the subject of the action.

[RCW 13.34.270](#)

6130 Conferencing Information

The department shall, within existing resources, provide to parents requesting a multidisciplinary team, family group conference, prognostic staffing, or case conference, information that describes these processes prior to the processes being undertaken.

RCW 13.34

6200 RISK ASSESSMENT

The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue.

[RCW 26.44.030](#)

6300 ADOPTION

- A. If a child has not been adopted within six months after the date of the order and a guardianship of the child under RCW 13.34.231 or chapter 11.88 RCW, or a permanent custody order under chapter 26.10 RCW, has not been entered by the court, the court shall review the case every six months until a decree of adoption is entered except for those cases which are reviewed by a citizen review board under chapter 13.70 RCW.

[RCW 13.34.210](#)

- B. Any person may request the department to prepare a pre-placement report. The report shall set forth all information relating to the fitness of the person requesting the report as an adoptive parent. The report is based upon a study that shall include an assessment of the home environment, family life,

health, facilities, and resources of the person requesting the report. The report shall include a recommendation as to the fitness of the person to be an adoptive parent. All pre-placement reports shall include an investigation of the conviction record, pending charges, or disciplinary board final decisions of prospective adoptive parents.

[RCW 26.33.190](#)

- C. The post-placement report is ordered by the court at the time that a petition is filed. It shall contain all reasonably available information concerning the physical and mental condition of the child, home environment, family life, health, facilities and resources of the petitioners, and any other information relevant to the adoption including information on the child's special cultural heritage, including membership in any Indian Tribe or band. Post-placement reports shall determine the nature and adequacy of the placement and determine if the placement is in the best interest of the child.

[RCW 26.33.200](#)

- D. The department or an agency having the custody of a child may make the pre-placement or post-placement report on a petitioner for adoption of that child.

[RCW 26.33.210](#)

6400 CHILD FATALITY REVIEW

- A. The department of social and health services shall conduct a child fatality review in the event of an unexpected death of a minor in the state who is in the care of or receiving services described in chapter 74.13 RCW from the department or who has been in the care of or received services described in chapter 74.13 RCW from the department within one year preceding the minor's death.
- B. Upon conclusion of a child fatality review required pursuant to subsection (1) of this section, the department shall issue a report on the results of the review to the appropriate committees of the legislature and shall make copies of the report available to the public upon request.

74.13 RCW